

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

RAFAEL ROSARIO-FRANQUI and  
ELIZABETH PADIN-HERNANDEZ on  
their own behalf and on behalf of the conjugal  
partnership constituted by them

Plaintiff

vs

CIVIL 98-1896CCC

POLICE OFFICER JOSE NEGRON-  
VAQUEZ, individually and in his capacity as  
Puerto Rico Police Officer; FELIX M.  
MELENDEZ-RAMOS, MIGNA  
MONTAÑEZ, individually and in their  
capacities as Puerto Rico Agent Officers; LUIS  
A. SERRANO-ROJAS, individually and in his  
capacity as Puerto Rico Police Sergeant;  
OFFICER PEDRO TOLEDO-DAVILA in his  
personal capacity, JOHN DOE and JANE  
DOE, unknown police officers of the  
Commonwealth of Puerto Rico

Defendants

ENTERED ON DOCKET  
5-4-00 PURSUANT

TO FRCP RULES 58 & 79

RECEIVED & FILED  
00 MAY -4 AM 11:16  
CLERK'S OFFICE  
U.S. DISTRICT COURT  
SAN JUAN, P.R.

**AMENDED PARTIAL JUDGMENT**

For the reasons stated in the Court's Opinion and Order filed on March 31, 2000 (**docket entry 49**) and the Ruling on Motion for Reconsideration (**docket entry 56**), it is hereby ORDERED AND ADJUDGED that the First and Fourteenth Amendment claims be DISMISSED; as well all the claims against Pedro Toledo-Dávila and all claims against police officers Luis A. Serrano-Rojas, Myrna Montañez and Felix M. Meléndez-Ramos. The excessive force claim against defendant José Negrón-Vázquez is also DISMISSED. The sole remaining claim is the cause of action based on a Fourth Amendment violation against Mr. Negrón-Vázquez for allegedly providing false information to obtain the search warrant.

SO ORDERED AND ADJUDGED.

At San Juan, Puerto Rico, on April 28, 2000.

s/c E. Hidalgo  
J. Ojeda

5-4-00

*[Signature]*

CARMEN CONSUELO CEREZO  
United States District Judge

*[Signature]*

*[Signature]*